

Jay Flak's comments attached
Resolution No. 18-83

RESOLUTION OF THE NAVAJO COUNTY BOARD OF SUPERVISORS
APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS

Heber/Overgaard Park Project

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid Program, providing matching funds to the State of Arizona, its political subdivisions and Indian Tribes for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the Arizona Outdoor Recreation Coordinating Commission (AORCC) is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by AORCC require the applicant to certify by resolution the approval of applications, signature authorization, the availability of local matching funds, and authorization to sign a Participant Agreement with AORCC prior to submissions of said applications to AORCC; and

WHEREAS, the proposed Heber/Overgaard Park Project must be consistent with the Arizona State Comprehensive Outdoor Recreation Plan; and

WHEREAS, the project must be compatible with the land use plans of the applicant;

NOW, THEREFORE, BE IT RESOLVED that the Navajo County Board of Supervisors, hereby:

1. Approve the filing of an application for Land and Water Conservation Fund assistance; and
2. Certifies that Navajo County will comply with all appropriate state and federal regulations, policies, guidelines, and requirements as they relate to the application; and
3. Certifies that Navajo County has matching funds, equipment and labor, some of which will be donated, in the amount of \$25,000.00 and can finance 100 percent of the project, half of which will be reimbursed by a Land and Water Conservation Fund grant; and
4. Certifies that Navajo County has the non-project surcharge not to exceed five percent of total project costs which will be paid to AORCC upon AORCC approval of said application; and
5. Certifies that the project is compatible with the land use plans of Navajo County; and

6. Appoints the Director, Navajo County Parks and Recreation Department

Larry C. Harmon
Larry C. Harmon, Director

as agent of Navajo County to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, billing statements, and so on which may be necessary for the completion of the aforementioned project.

PASSED, ADOPTED AND APPROVED by the Navajo County Board of Supervisors this 8th of March, 1983.
day month

Willard Hartung
Chairman, Navajo County Board of Supervisors

Attest:

Sharon R. Keene
(Seal)

Approved As To Form:

Ray V. Flake
Navajo County Attorney

Reviewed By:

Edward Kony
Navajo County Administrator

STATE OF ARIZONA)
County of Navajo)

I, the undersigned, Sharon R. Keene, being the duly appointed and qualified Clerk of the Board of Navajo County, certify that the foregoing Resolution No. 18-83 is a true, correct and accurate copy of Resolution No. 18-83, passed and adopted at a regular meeting of the Navajo County Board of Supervisors held on the 8th day of March 1983 at which a quorum was present and voted in favor of said Resolution.

Given under my hand and seal this 8 3 83.
(Day, Month, Year)

Sharon R. Keene
(Signed)

OFFICE OF

NAVAJO COUNTY ATTORNEY

NAVAJO COUNTY GOVERNMENTAL CENTER
HOLBROOK, ARIZONA 86025
TELEPHONE (602) 524-6161

JAY V. FLAKE
COUNTY ATTORNEY
WARNER G. LEPPIN
CHIEF DEPUTY

March 7, 1983

THOMAS L. WING
DEPUTY
DALE K. PATTON, JR.
DEPUTY
MICHELLE O'HAIR
DEPUTY
BRET H. HUGGINS
DEPUTY

Navajo County Board of Supervisors
Navajo County Complex
Holbrook, Arizona 86025

RE: Resolution of Board of Supervisors approving
application for land and water conservation funds

Gentlemen:

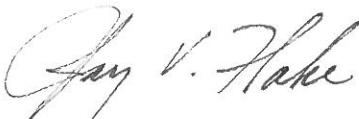
I have approved the resolution of the Navajo County Board of Supervisors approving the application for land and water conservation funds as to form. However, I would like to point out a couple of provisions of the resolution so that the Board is fully aware of its contents:

1. Paragraph 3 of the resolution provides that Navajo County will finance 100% of the project up front and will thereafter be reimbursed for 50% of the amount provided by the County up front. It further provides that a portion of Navajo County's contribution can be donated equipment or labor.

2. Paragraph 4 requires the County to pay a non-project surcharge of up to 5% of the total project cost.

3. Paragraph 6 appoints Larry Harmon as the agent of Navajo County to conduct all negotiations and execute all legal documents for and on behalf of Navajo County. By doing this the Board is relinquishing all of their authority to control the project to Larry Harmon.

Best regards,



Jay V. Flake
County Attorney